

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MITCHELL K. DAVIS,

Plaintiff,

v.

FUJITEC AMERICA, INC., a Foreign Profit
Corporation; NATIONAL ELEVATOR
INSPECTION SERVICES, INC.; and MICHAEL
J. PANZO, an individual,

Defendants.

NO. 3:21-cv-05631-RSM

STIPULATED MOTION TO ALTER CASE
SCHEDULE PURSUANT TO LCR 10(G)

NOTE ON MOTION CALENDAR:
JUNE 28, 2022

COMES NOW all parties, through counsel of record, and submits this Stipulated Motion and Order pursuant to Local Rules 7(d)(1) and 10(g) to alter the case schedule as set forth in Dkt. 16.

I. JUSTIFICATIONS FOR PROPOSED CHANGE

This is a claim for personal injury. Plaintiff alleges that a damaged and defective elevator caused him bodily injuries. Defendant National Elevator Inspection Services, Inc. has a motion to dismiss Plaintiff's claims pursuant to Civil Rule 12(b)(6) and 8(a)(2). The motion was noted on the Court's motion calendar for Friday October 1, 2021. To date the Court has not issued an order on this motion.

The discovery needed to prepare the case for trial will depend on the outcome of the pending motion. The parties all need additional time to complete fact and expert discovery. The parties wish to avoid unnecessary expense and/or duplication of efforts. A 90-day alteration of the deadlines below is justified on that basis:

Topic	Current Deadline	Proposed Deadline
Disclosure of Expert Testimony Under FRCP 26(a)(2)	July 13, 2022	October 14, 2022
Deadline for filing discovery motions	August 12, 2022	November 14, 2022
Discovery Completed by	September 12, 2022	December 12, 2022
Dispositive Motions Filed by	October 11, 2022	January 12, 2023

II. STIPULATION

The above-proposed deadlines are stipulated and agreed to by all parties.

Dated this 28th day of June, 2022.

OGDEN MURPHY WALLACE, PLLC

/s/Athan Tramountanas
 By /s/Timothy Parker
 Athan E. Tramountanas, WSBA No. 29248
 Timothy T. Parker, WSBA No. 43674
 Attorneys for Defendant Bureau
 Veritas National Elevator Inspection
 Services, Inc. f/k/a National Elevator
 Inspection Services, Inc., and Defendant
 Michael J. Panzo

BUZZARD O'ROURKE, PS

By /s/Shane M. O'Rourke
 Shane M. O'Rourke, WSBA No. 39927
 Attorney for Plaintiff

BULLIVANT HOUSER BAILEY PC

/s/E. Pennock Gheen

By /s/Evelyn E. Winters

E. Pennock Gheen, WSBA No. 14969

Evelyn E. Winters, WSBA No. 44936

Attorneys for Defendant Fujitec
America, Inc

III. ORDER

It is so ordered.

DATED this 30th day of June, 2022.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify under the laws of the United States of America that on this day, I electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all counsel of record.

DATED this 28th day of June, 2022

/s/Timothy Parker
Timothy Parker